

# EXHIBIT J

***IN RE: FUTURE MOTION, INC. PRODUCTS LIABILITY LITIGATION***  
MDL 3087

Application for Plaintiff Leadership Position

**A. Applicant Information**

Name: Aaron M. Heckaman

Law Firm: Bailey Cowan Heckaman PLLC ([www.bchl.com](http://www.bchl.com))

Years of Practice: 17

List of Cases to be Transferred to MDL:

*Oatridge, et al. v. Future Motion, Inc.*, No. 5:21-cv-09906-BLF, in the United States District Court for the Northern District of California

*Bunnell, et al. v. Future Motion, Inc.*, No. 22-cv-01220-CNS-KAS, in the United States District Court for the District of Colorado

**B. Position(s) Sought**

Plaintiffs' Steering Committee

**C. Mass Tort Experience**

Aaron has handled cases on behalf of mass tort clients since he started practicing law 17 years ago. His legal career is noteworthy for his representation of thousands of asbestos plaintiffs, clients injured by catastrophic plant/industrial accidents, automotive, and other defective products, servicemen and women injured by defective 3M earplugs, women injured by defective Essure permanent birth control devices, clients injured by Roundup herbicide, hundreds of clients who experienced physical injuries and property damage as a result of a plant explosion, hundreds of victims of systemic abuse at the hands of the Boy Scouts of America, and thousands of victims of defective pharmaceutical drugs including but not limited to Trasylol and proton pump inhibitor ("PPI") drugs. Aaron has effectively managed a mass tort practice his entire legal career.

Aaron's primarily responsibility at Bailey Cowan Heckaman PLLC ("BCH") is the management and department head of the firm's well-established national asbestos-litigation practice. Aaron has worked on cases representing victims of asbestos poisoning since law school and has since become a sought-after litigator in this area. He also frequently speaks at CLEs around the country on asbestos litigation issues. Aaron currently oversees a docket of over 250 active asbestos cancer cases filed across the country. He and his team have reached favorable resolution for asbestos clients in over 35 different state and federal jurisdictions across the country. This truly national practice has cultivated relationships with experts, judiciary, and co-counsel across the country.

Despite Aaron's experience in multiple large-scale MDL proceedings and his law partners' federal multi-district litigation ("MDL") leadership roles, this would be Aaron's first appointment to a leadership committee in a federal MDL proceeding. This decision did not come lightly; Aaron believes strongly in this case, and has the time, resources, and unique perspective from his background to add a great deal of insight to the project.

Aaron and his firm are also well known by and have strong working relationships with many of the law firms already involved in this litigation. The firm's reputation for working and playing well with others is demonstrated by Aaron's firm's current involvement as an active member of the PSC in the PPI MDL, *In re Proton-Pump Inhibitor Litigation*, No. 2:17-md-02789, United States District Court for the District of New Jersey (Cecchi, J.) and in the 3M MDL, *In re: 3M Combat Arms Earplug Products Liability Litigation*, No. 3:19-md-02885, United States District Court for the Northern District of Florida (Rodgers, M.). Aaron works well with others in a group to do whatever is needed to help advance the common goals of a coordinated litigation team.

**D. MDL Experience**

<b>MDL Name</b>	<b>Subject Matter &amp; Current Status</b>	<b>Roles &amp; Duties</b>
MDL 1928 <i>In re: Trasylol Prods. Liab. Litig.</i> , S.D. Fla.	West Palm Beach, FL-based MDL involving serious kidney damage, congestive heart failure, strokes, and death linked to prophylactic drug Trasylol; MDL proceedings successfully resolved through global settlement.	Full work-up of multiple bellwether cases. Presenting plaintiffs; selecting, interviewing, and developing expert witnesses; and briefing and motion practice including <i>Daubert</i> challenges.
MDL 2789 <i>In re: Proton Pump Inhibitor Litig.</i> , D.N.J.	Newark, NJ-based MDL involving kidney-related injuries linked to proton pump inhibitor (heartburn) drugs; MDL is ongoing.	Personally deposed AstraZeneca marketing and sales liability witness regarding Prilosec. BCH law partner Camp Bailey serves on the PSC and the firm has assisted in all phases of cases workup.
MDL 2543 <i>In re: General Motors LLC Ignition Switch Litig.</i> , S.D.N.Y.	Manhattan, NY-based MDL involving GM vehicles with allegedly defective ignition switches linked to personal injury or economic loss; MDL is ongoing and nearing conclusion.	BCH served as co-lead counsel on two MDL bellwether trial selections; both cases resolved. Assisted with full case work up including depositions of both Plaintiffs' and Defendants' experts.

MDL Name	Subject Matter & Current Status	Roles & Duties
MDL 2885 <i>In re: 3M Combat Arms Earplug Prods. Liab. Litig.</i> , N.D. Fla.	Pensacola, FL-based MDL involving 3M dual-ended Combat Arms Earplugs, Version 2 (CAEv2) with alleged known defects resulting in hearing loss, tinnitus, or other injuries to servicemen and women.	BCH served as co-lead counsel on MDL bellwether trial selection that went to verdict. Active in plaintiff preparation and expert workup. BCH law partner Robert Cowan serves on the PSC and the firm assisted in an additional bellwether trial cases that reached jury verdicts.
JCCP NO. 4887 <i>In re: Essure Product Cases</i> , Alameda County, CA	Alameda County, CA-based JCCP involving Essure Permanent Birth Control System linked to numerous side effects including perforated organs, autoimmune diseases, severe pelvic pain, and many others.	Managed litigation team that took approximately 100 depositions in the Court ordered discovery wave. In process of resolving claims of 2,000 clients.
A2020-0236-MDL <i>In re: TPC Group Litig.</i>	Orange County, TX-based MDL involving a series of disastrous explosions and a chemical fire that occurred at the Texas Petroleum Chemical (TPC) plant in Port Neches, TX in November 2019, resulting in widespread evacuations, property damage, and the release of harmful toxins.	Plaintiffs' Co-Lead Counsel. Assists and manages document review, coordinates with defendants and third parties, and participates in the organization and planning of prosecution plan.

MDL Name	Subject Matter & Current Status	Roles & Duties
MDL 2973 <i>In re: Elmiron (Pentosan Polysulfate Sodium) Prods. Liab. Litig., D.N.J.</i>	Newark, N.J.-based MDL involving vision-related injuries linked to pentosan polysulfate sodium drugs; MDL is ongoing	Negotiated and settled BCH's docket of cases for a confidential, multi-million-dollar figure.

### E. Trial Experience

Aaron and his team have personally taken multiple asbestos-ligation cases from initial work-up all the way to verdict. Specifically, Aaron was an integral member of the trial team in *Poage v. Crane Co.* case in St. Louis which went to verdict in June of 2015. The *Poage* case was a wrongful death case of a mesothelioma victim prosecuted on behalf of a U.S. Navy widow which resulted in a jury verdict of 11.5 million dollars. Aaron's law partner, Rob Cowan took lead pen through the trial and appellate process and through BCH's efforts, the "bare metal" (i.e., Defendant's claim that it did not manufacture asbestos parts) and governmental immunity defenses were defeated at the trial and appellate court. Additionally, BCH defeated Defendant's constitutional challenge to punitive damages ultimately protecting the full verdict for the Poage family.

Aaron was also a member of the trial team that took the *Campbell v. Ford Motor Co.* case to verdict in the City of St. Louis in the summer of 2015. The *Campbell* case was a "take-home" exposure case of a mesothelioma victim.

Most recently, Aaron was an instrumental part of the trial team that took the *Carroll, et al. v. Brunswick Boat Group, et al.* case to verdict in the Western District of Missouri in February of 2024. The *Carroll* matter involved a wrongful death claim as well as personal injuries sustained after a boat explosion on Lake of the Ozarks.

Of note, Aaron has started trial in numerous cases and jurisdictions where he has been able to reach a favorable resolution for his clients during the trial process. Several such cases are listed below:

- *Roger Neely, Individually and for the use and benefit of the next of kin Ruby Neely, Deceased v. E.I. Dupont De Nemours & Co., et al.*, In the Circuit Court for Davidson County, Tennessee, Docket No. 09C3808
- *George Hamblet and Doris Hamblet, his wife v. John Crane, Inc., et al.*, In the Circuit Court, Third Judicial Circuit, Madison County, Illinois, Cause No. 12-L-821
- *Loretta Ciarlante Mooney, Executrix of the Estate of Dante Ciarlante v. Allis-Chalmers Corporation, et al.*, In the Court of Common Pleas of Philadelphia County, Pennsylvania, P.C.C.P., September Term 2010, No. 3575
- *Betty Kay Hughes, Personal Representative of the Estate of Howard E. Hughes v. A.W. Chesterton Company, et al.*, In the Circuit Court of Kanawha County, West Virginia, In re: Asbestos Personal Injury Litigation, Mass Litigation Panel, Civil Action No. 03-C-9600, October 17, 2011 Trial Group, Civil Action No. 10-C-1937 KAN
- *Mauro Gonzalez, Rafael Gonzalez, and Demetro Gonzalez as the surviving heirs of Luis Gonzalez, Deceased v. American Optical Corporation, et al.*, In the Circuit Court of the Twenty-Second Judicial Circuit, City of St. Louis, State of Missouri, Cause No. 1422-CC00056
- *Howard W. Dilks (Deceased) v. 4520 Corp. Inc., et al.*, In the Circuit Court for Baltimore City, In re: Baltimore City Asbestos Litigation, Case No. 24-X-11-000056

Aaron's trial experience has provided him with unique insight to the inner motivations of not only his clients, who often feel the need for their day in court, but that of counsel for the other side. Such insight allows him to balance the needs of each side to reach the best possible outcome for all parties.

**F. Settlement Experience**

Navigating settlement criteria and grids according to years, severity of injury, and plaintiff age is second nature to Aaron at this point. As BCH's lead settlement negotiator for the asbestos docket, Aaron has personally resolved over \$250,000,000 in asbestos-related settlements. Additionally, Aaron assisted settlements on behalf of all plaintiffs in the firm's Roundup and Essure dockets.

Aaron routinely negotiates regarding specific terms of settlement documents for BCH clients and has experience overseeing the management and resolution of settlement frameworks post-signing of MSAs, including providing input on objective settlement criteria, lien resolution, working with settlement special masters and administrators, ethical oversight, probate, bankruptcy, and other client resolution and distribution issues that require a highly specialized skill set and experience to successfully navigate. Finally, Aaron successfully helped negotiate the settlement for the first Onewheel wrongful death case in the country and has experience working with defense counsel for Future Motion, Inc. on settlement issues.

**G. Issue-Specific Experience**

Aaron background in litigating the first wrongful death case filed against Future Motion, Inc. has afforded Aaron and his team a leg up on this litigation. Aaron personally took the depositions of Future Motion, Inc.'s Chief Executive Officer, Chief Evangelist, and Chief Operating Officer. Additionally, Aaron has been involved in the discovery process for multiple catastrophic Onewheel injury cases and the review of documents provided by Future Motion, Inc. in litigation.



Aaron has also been involved in all Plaintiffs' meetings regarding Onewheel litigation organization and joint prosecution. And, given BCH's prior cases, Aaron has built a relationship with counsel for Future Motion, Inc.

#### **H. Other Commitments**

Aaron is currently on the leadership committee for the Texas TPC explosion, which is an industrial accident in a small town in Texas and is much more limited in scope than a federal MDL. He does not anticipate this being a deterrent for the time or focus required for the Onewheel MDL.

#### **I. Financial Disclosure**

BCH anticipates funding this litigation and any other attendant financial commitments that may arise in its normal course of business. The firm has sufficient liquid capital on hand to help pay for anticipated litigation expenses.

#### **J. Additional Information**

##### **1. Judges or special masters familiar with Aaron's work:**

- Hon. Stephen Stobbs, Chief Judge, Madison County, Illinois (oversees asbestos litigation)
- Hon. Rex M. Burlison, Presiding Judge, 22nd Judicial Circuit of Missouri (trial judge in *Poage v. Crane Co.* and *Campbell v. Ford Motor Co.*)
- Hon. Alice B. Gibney, Presiding Justice, Superior Court of Rhode Island (oversees Rhode Island asbestos litigation)
- Special Master Robert Black, Partner, MehaffyWeber, Houston (oversees recent MDL confidential settlements)

##### **2. Additional information for consideration about Aaron's professional**

**background:** For more of his biographical information, please visit <https://www.bchlaw.com/our-attorneys/aaron-heckaman/> and review the enclosed resume.